

DATE: February 3, 2026
TO: Joint Standing Committee on Judiciary
FROM: Sam Warren, UMS Chief External & Governmental Affairs Officer
RE: **Opposition to LD 2150, An Act to Establish Procedures for Restricting Access to State Property, Access to State Services and Communication with or Through State Entities**

Senator Carney, Representative Kuhn, and members of the Joint Standing Committee on Judiciary: I am writing on behalf of the **University of Maine System (UMS)**, which **opposes LD 2150 because it would undermine campus and public safety and interfere with federally mandated responsibilities, as well as 20-A MRS Chapter 445.**

Maine's public universities are generally open to the public. However, **UMS also has an affirmative legal obligation under both state and federal laws to take necessary action to protect our students, employees, and visitors from harassment, discrimination, violence, and educational disruption.** As a result, our well-established and responsibly exercised authority to restrict campus access is essential.

Pursuant to Title IX and the Violence Against Women Act (VAWA), **UMS and all other educational institutions that receive federal funds must take certain actions necessary to protect parties** in the event of a complaint. This may include, if appropriate, imposing interim measures during investigations, such as access restrictions in the form of student suspensions or employee administrative leave, as well as long-term restrictions following findings of responsibility. Furthermore, while our public universities attempt to complete comprehensive Title IX or VAWA investigations in a timely manner, they regularly extend beyond 90 days due to factors beyond the institution's control. As a result, the 90-day limitation and court-filing requirement in this bill would prevent institutions from complying with federal law and risk student and employee safety.

Similarly, and consistent with the state and federal constitutions, our System's student conduct code provides for a process by which the institution must take appropriate action to ensure a complainant's right to an education is protected. In some cases, this can include removing a respondent from the university if appropriate.

Our university police departments regularly issue no-trespass orders, pursuant to their vested law enforcement authority. Their ability to exercise this authority is necessary to ensure we fulfill our obligations as a public institution, including maintaining an environment that is safe and free from discrimination. For example, if a community member is assaulting or harassing students on our campuses based on their race or religion, those victims' rights to a public education are being infringed upon and the university has a legal obligation to protect them. Given limited access to courts or legal support — especially for those enrolled at our rural campuses — these campus supportive measures are, in some cases, uniquely essential to ensuring safety. There are multiple recent examples within UMS where **restricting an individual from campus was essential to affording harmed individuals the ability to continue their education without fear or further escalation of harm** — as the law requires. In cases like these, limiting our authority or imposing procedural delays as LD 2150 proposes puts victims at risk and exposes our public institution to civil-rights liability.

Finally, the bill's scope appears broad enough to affect routine personnel actions, including paid administrative leave or termination — actions that necessarily restrict access to facilities and services and are fundamental to maintaining safe workplaces. In some cases, access may need to be restricted for periods longer than 90 days while investigations, grievance processes detailed in collective bargaining agreements, and threat assessments are conducted.

It should also be noted that university email (maine.edu) and IT access are provided to students and employees, and university facilities — such as fitness and recreation centers — are open to the public but may be restricted if well-established acceptable use policies are violated.

As a System of public universities, we take seriously our responsibility to provide access to the public, and only limit that access when it is absolutely necessary to ensure safety, consistent with the law and well-documented due process. While well-intentioned, **LD 2150 places our public universities in the untenable position of being unable to restrict or remove individuals whose conduct interferes with others' lawful access, for the purpose of stopping discriminatory or dangerous behavior, without first navigating a court process, potentially violating state and federal civil-rights laws and threatening campus safety.**

If the Committee chooses to advance this bill, we respectfully request that the University of Maine System and other public higher education institutions be explicitly excluded, given the unique nature of our campus communities, our conflicting obligations under federal law, and our well-established due process through which access is protected.

Thank you for your commitment to the safety of Maine's public universities.